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November 22, 2021

USDC SDNY  
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Honorable Mary Kay Vyskocil  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Lopez v. Department of Homeless Services, 1:17-cv-03014-MKV-OTW: Update on Settlement Negotiations & Joint Request for a One Day Extension

Dear Judge Vyskocil,

Plaintiff Mariah Lopez and Defendants the Department of Homeless Services, the Human Resources Administration, and the City of New York (collectively the “Parties”) have made considerable progress towards finalizing their settlement agreement in this matter.

The Parties and their counsel attended all-day settlement negotiation sessions on Wednesday November 17, 2021, Thursday November 18, 2021, Friday November 19, 2021, and Monday November 22, 2021 (today) in hopes that they could arrive at a fully executed settlement agreement by Your Honor’s deadline of today.

However, as of 7:45pm this evening, the Parties are still negotiating language on a small number of settlement provisions with a plan to work into the night as needed. The Parties notified Magistrate Judge Wang of these developments this evening, and will be attending a final status conference before the Magistrate Judge tomorrow morning to expeditiously resolve all remaining issues and execute their settlement agreement without delay.

Given the small amount of language disputes that remain and the Parties’ shared commitment to finalizing their settlement before the Thanksgiving Holiday, Plaintiff, together with Defendants, respectfully write to request that the Parties be given one (1) additional day to finalize their settlement agreement, such that the Parties’ deadline to restore the case to the active litigation calendar be reset by one (1) day to Tuesday November 23, 2021.

To the extent your Honor is not amenable to this Request, Plaintiff respectfully requests that the Court restore this matter to the Court’s active docket to avert dismissal with prejudice.

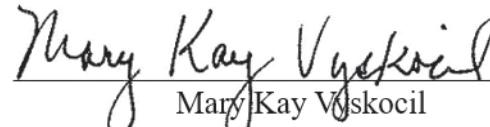
Respectfully Submitted,

/s/ A. Chinyere Ezie

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Because Magistrate Judge Wang scheduled a further settlement conference, this request for a final one-day extension of time to complete the settlement is GRANTED. **There will be no further extensions.** If the parties fail to resolve the matter today and move to restore the action, they must include in their request a showing that a live case or controversy exists between the parties. **The Court will not restore the action without a showing that Article III jurisdiction exists.**

Date: Nov. 23, 2021  
New York, New York

  
\_\_\_\_\_  
Mary Kay Vyskocil  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2021, counsel for Plaintiff Mariah Lopez served the foregoing document on Defendants the City of New York and the New York City Department of Homeless Services through their counsel of record.

Respectfully Submitted,

/s/ A. Chinyere Ezie  
A. Chinyere Ezie  
Senior Staff Attorney  
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*Counsel for Plaintiff Mariah Lopez*

Dated: November 22, 2021